

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Fenton *et al.*      Examiner : Sue A. Weaver  
Serial No. : 10/829,412      Confirmation No. : 5967  
Filed : 04/21/2004      Group Art Unit : 3781  
For : Pivotal Towing Arrangement

**PETITION UNDER 37 C.F.R. § 1.28(c) AND CHANGE OF ENTITY STATUS**

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby petition for the acceptance of a deficiency payment pursuant to 37 C.F.R. § 1.28(c) in the amount of \$235.00.

Applicants have discovered that the above identified patent application was filed with an erroneous claim of small entity status and that they have erroneously paid, without deceptive intent, the following fees at the applicable small entity rates:

Type of Fee Erroneously Paid as small entity	Small Entity Fee Actually Paid	Date of Payment	Current Fee	Deficiency Amount Owed
2 Month Extension of Time	\$225.00	05/01/07	\$460.00	\$235.00
<b>Total Deficiency Owed</b>				<b>\$235.00</b>

Therefore, applicants request the amount of \$235.00 be deducted from our Deposit Account No. 02-4377 for the deficiency payment as required by 37 C.F.R. § 1.28(c)(2). Additionally, pursuant to C.F.R. § 1.27(g)(2), please change the status of the application from small entity to large entity.

Applicants believe no additional fee is due in connection with this petition. If any fee is due, or if any overpayment has been made, the Commissioner is authorized to charge any such fee or credit any overpayment, to our Deposit Account No. 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

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July 9, 2008

Date

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/David Schalk/

David W. Schalk

Patent Office Reg. No. 60,527

Gary M. Butter

Patent Office Reg. No. 33,841

Baker Botts L.L.P.

30 Rockefeller Plaza

44th Floor

New York, NY 10012-4498

212-408-2500